

<sup>1</sup> The Court notes that the affidavit was signed on November 17, 2007, 31 days after entry of the order.

information to permit the Court to assess whether Plaintiff is unable to pay the civil filing fee or to provide security therefor. In addition, while Plaintiff did clarify the amount of her monthly earnings, she has not disclosed how she is able to pay her mortgage of \$1736 with the monthly earnings disclosed in the original affidavit.<sup>2</sup>

As Plaintiff has not satisfied her burden of demonstrating that she is unable to pay the civil filing fee or to give security therefor, the motion to proceed in forma pauperis is DENIED. Plaintiff is ORDERED to pay the \$350 civil filing fee within forty-five (45) days of the date of entry of this order. Failure to timely comply with this order will result in dismissal of this action, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute.

IT IS SO ORDERED this 27<sup>th</sup> day of November, 2007.

s/ J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE

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<sup>2</sup> The October 17, 2007 order stated, in pertinent part, that "[i]f Plaintiff relies on the income of another person, that fact must be disclosed in the affidavit." 10/17/07 Order at 3.